

Senate Bill 398

By: Senators Hill of the 32nd, Rogers of the 21st, Shafer of the 48th, Staton of the 18th and Butterworth of the 50th

A BILL TO BE ENTITLED
AN ACT

To amend Article 7 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated, relating to medical assistance generally, so as to provide that the commissioner of public health shall make available through the Internet website of the Department of Community Health nonaggregated information on individuals collected under the federal Medicaid Statistical Information System insofar as such information has been de-identified in accordance with the regulations promulgated under the federal Health Insurance Portability and Accountability Act of 1996, as amended; to provide for the manner of providing such information; to provide for certain reports; to provide for certain surveys; to provide for authority to contract for the provision of such information; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 7 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated, relating to medical assistance generally, is amended by adding a new Code section to read as follows:
"49-4-158.

(a) The commissioner shall implement by December 31, 2011, a program under which the commissioner shall make available through the Internet website of the Department of Community Health nonaggregated information on individuals collected under the federal Medicaid Statistical Information System described in Section 1903(r)(1)(F) of the federal Social Security Act insofar as such information has been de-identified in accordance with the regulations promulgated under the federal Health Insurance Portability and Accountability Act of 1996, as amended. In implementing the program, the commissioner shall ensure that:

(1) The information made available is in a format that is easily accessible, useable, and understandable to the public, including individuals interested in improving the quality of care provided to individuals eligible for programs and services under Medicaid,

researchers, health care providers, and individuals interested in reducing the prevalence of waste and fraud under the programs;

(2) The information made so available is as current as deemed practical by the commissioner and shall be updated at least once per calendar quarter;

(3) To the extent feasible, all providers of medical assistance, as such term is defined in paragraph (6) of Code Section 49-4-141, included in such information are identifiable by name to individuals who access the information through such program; and

(4) The commissioner periodically solicits comments from a sampling of individuals who access the information through such program on how to best improve the utility of the program.

(b) For the purposes of implementing the program under this Code section and ensuring that information made available through such program is periodically updated, the director may select and enter into a contract with a public or private entity meeting such criteria and qualifications as the commissioner determines appropriate.

(c) By December 31, 2011, and annually thereafter, the commissioner shall submit to the General Assembly a report on the progress of the program under subsection (a) of this Code section, including the extent to which information made available through the program is accessed and the extent to which comments received under paragraph (4) of subsection (a) of this Code section were used during the year involved to improve the utility of the program.

(d) By December 31, 2011, the commissioner shall submit to the General Assembly a report on the feasibility, potential costs, and potential benefits of making publicly available through an Internet-based program de-identified payment and patient encounter information for items and services furnished under Title XXI of the federal Social Security Act which would not otherwise be included in the information collected under the federal Medicaid Statistical Information System described in Section 1903(r)(1)(F) of such act and made available under Section 1942 of such act, as added by Section 5008."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.